

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MARGARETT CLARK

Plaintiff

-vs-

COMMISSIONER OF SOCIAL
SECURITY

Defendant

: CASE NO. 1:06 CV 2829

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:
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: ORDER ADOPTING REPORT AND
: RECOMMENDATION AND
: REVERSING AND REMANDING THE
: COMMISSIONER'S DECISION

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Plaintiff Margaret Clark ("Ms. Clark") challenges the Commissioner of Social Security's final decision denying her claim for supplemental security income under Title II of the Social Security Act, 42 U.S.C. §§ 416(i). (Doc.1). This case was automatically referred to United States Magistrate Judge James S. Gallas for a Report and Recommendation ("R&R") pursuant to Local Civil Rule 72.2(b). (Doc. 5). In his R&R, Magistrate Judge Gallas finds the decision of the Commissioner denying supplemental security income be reversed and remanded for reconsideration. Accordingly, he recommends the Commissioner's decision be reversed and remanded for further proceedings consistent with the Report and Recommendation, with special emphasis on the allegations of disabling symptoms due to sypsnea (shortness of breath) and fatigue.

No party has objected to the Magistrate Judge's R&R. (Doc. 19). Counsel for the defendant filed a response to the R&R indicating that they will not be filing an objection. (Doc. #20). It must be assumed the parties are satisfied with the Report's

conclusion. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Accordingly, the Magistrate Judge's R&R is adopted. The decision by the Commissioner denying Ms. Clark's claims for supplemental security income be reversed and remanded to the Social Security Administration for further proceedings consistent with the findings of the, hereby, adopted Report and Recommendation.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 25 April 2008